

AGENDA

**Aldermanic Chambers, Second Floor, City Hall, 93 Highland Avenue,
Wednesday, March 10, 2004**

5:45 p.m. EXECUTIVE SESSION

Assistant City Solicitor, David Shapiro requests to appear before the Board to discuss pending litigation regarding 343-349 Summer Street.

DECISIONS 6:00 P.M. followed by HEARINGS

51 Warren St. Applicant, Antonio Pereira, and Owners: Antonio Pereira and Maria Pereira. The Applicant seeks site plan approval to subdivide a lot in order to construct a 6-unit dwelling on the new lot (SZO §8.8). Applicant also requires two special permits to modify parking requirements (SZO §9.13.b and §9.13.c) and a variance from rear yard setback (SZO §8.5.i). BA zone. *Applicant was granted a continuance until the Board's meeting on April 14, 2004.*

246 Elm St. Applicant: Pavan Restaurant Group, Inc., D/B/A Diva Restaurant; Owner: Sitt Realty, LLC, and Myer Dana & Sons, Inc. The Applicant seeks a special permit to alter a nonconforming structure (SZO §4.4.1) and a special permit for failure to provide six required off-street parking spaces (§9.13.a), to establish a bar/restaurant. *Continued until next meeting Monday, March 29, 2004.*

1-4 Hayden Terrace Applicants, James Douglas & Steven Caruso, Owner, One Hayden Terrace Trust. The Applicants seek a special permit to alter a nonconforming structure (SZO §4.4.1) and a special permit to alter a nonconforming use (SZO §4.5.3) to legalize alterations to an existing four-family dwelling. RB zone. *The case will be heard on Monday, March 29, 2004.*

343-349 Summer St. The Applicant, Emerald Development Group, along with its Agent T. P. Morris, is requesting: (1) clarification and, where necessary, revisions or amendments relating to the findings and conditions: 2) an increase in the side yard setback for a Special Permit with Site Plan Review previously rendered decision on June 26, 2002, appeal #2002-23, which is the subject of an appeal in Middlesex Superior Court, Docket no. 02-3071. The original Special Permit authorized the construction of a four story, 14-unit residential building with inclusionary units off site and underground parking in the Central Business District (CBD). The Applicant has filed a Motion for Limited Remand. Any revisions will be made in accordance with and subject to the Court Limited Remand Order. *Testimony was heard from the Applicant, the Plaintiff, neighbors and City Officials. The Applicant asked to Withdraw his petition. The Board will consult with the Legal Department and render a decision on Monday, March 29, 2004.*

64 Willow Ave. Applicant and Owner: James Boress. The Applicant seeks a special permit to alter a nonconforming structure (SZO §4.4.1) to legalize a rear addition to a two-family home. Residence A (RA) zoning district. *Approved with conditions (5-0) RD, MJ, HF, SF, SQ.*

333-335 Beacon St. Applicant and Owner: James Mega. The Applicant seeks a special permit to alter a nonconforming structure (SZO §4.4.1) and a special permit to alter a nonconforming use (SZO §4.5.3) to enclose the rear porches of a four-family apartment building. Residence B (RB) zoning district. ***Opened and continued to Monday, March 29, 2004.***

131 Willow Ave. Applicant, 131 Willow Avenue, LLC, Owner, Christos Poutahidis. The Applicant seeks a special permit with site plan review (§7.11.1.c) to demolish an existing garage and construct an eleven unit building. The Applicant also requires a special permit for modification of parking design standards (§9.13.b), a variance from lot area per dwelling unit (§8.5.B), a variance from front yard setback (§8.5.G) and a variance from parking requirements (§9.5.1.a). The Applicant is also subject to Inclusionary Housing under §13.2 of the SZO. RC zone. ***Opened and continued to Monday, March 29, 2004.***

197 Elm St. Applicant: SHRI Ganesh Jee d/b/a Subway; Owner: BEV Realty Trust; Agent: Richard G. DiGirolamo. The Applicant seeks a special permit with design review to establish a fast food restaurant (SZO §7.11.10.2.1.a). Neighborhood Business (NB) zoning district. ***Re-noticed and re-scheduled to Monday, March 29, 2004.***

ZBA 3/10/04